

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 2681 of 2007

Manishkumar Rajendraprasad Dure .. Applicant

versus

State of Maharashtra .. Respondent

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Mr. M.P. Mishra with E.B.Dixit i/b Shri P.Waghmare
for the applicant.

Mr.D.P. Adsule, APP for the State.

CORAM : D.G.KARNIK, J

DATED : 20th November 2007

P.C.:

1. Heard learned counsel for the applicant and
learned APP for the State.

2. An offence has been registered against the
applicant under C.R.No.59 of 2007 punishable u/s.420
r/w 34 of the Indian Penal Code. The prosecution
case is that the applicant runs and is in charge of
an institution by name Searock Consultancy Services
Pvt.Ltd. The applicant is its Managing Director.
The applicant, for a fee, gave admissions for

training to several students with an assurance that they could be given education and training for placement at seafares on board on ships. Part of the training would be given in Mumbai and part of the training would be given at Chennai in another recognised institution. Some training was allegedly given to the students at Mumbai and the students were sent for training at International Maritime Academy at Chennai. However, the International Marine Academy at Chennai refused to admit the students on the ground that the Searock Institute had not sent the fees for training the said students. In other words, though the fees were received by the applicant he pocketed the money and had not sent the money to the Chennai institution.

3. Furthermore, it appears that applicant and/or his institution i.e. Searock Consultancy Services Pvt.Ltd. are not authorised by the Director General of Shipping to give any training for seafaring cadets. The Director General of Shipping by his letter dated 4th October 2007 has informed to the Sr.Inspector of Police that applicant and his institution is not recognised by the Director General of Shipping for recruitment and placements of seafares on board on ships. Thus, the allegation is that the applicant cheated several students, received

fees from them without giving them training and without being authorised to give the training.

4. The applicant had previously filed the application for Anticipatory Bail before the Sessions Court bearing Anticipatory Bail Application no.997 of 2007. By an order dated 4th August 2007, the learned Sessions Judge has rejected the Anticipatory Bail. He has interalia observed :-

"Report filed by the police shows that the complainant and nine students were sent by the said institute run by this applicant for training programme to International Merit Academy at Chennai. However, that academy refused to admit the complainant and others saying that institute run by this applicant have failed to deposit requisite fees of such students. This fact goes to show that the institute run by the applicant and others have played a fraud on the students and thereby those students are cheated. Considering all the aspects of the case definitely the offence in which this applicant is involved is a serious offence because several students are

victims of the illegal tactics adopted by this applicant and his associates.

5. I see no reason to take a different view than the view taken by the Sessions Judge. Several students are involved and fees of lakhs of rupees have been collected from them by the applicant. In the circumstances, custodial Interrogation of the applicant appears necessary for investigation. Hence, application is rejected.

(D.G. KARNIK, J)